

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DONALD ELIASON, TODD MOOS, VALDIE
MAGSTADT, RUTH HANSON, GERALD
HERNING, JACQUELINE HERNING,
DOUGLAS LAMM and KAREN LAMM,
ROBERT PATRICK, PATRICK FLECK,
GARY AND DONNA MCINTYRE, RHEA
CLARK, DUSTIN JOHNSON, RICHARD
WROUGHTON, VIRGINIA STROH, AND
KEVIN AND CHARLENE OLSON,
Individually, and on behalf of all others
similarly situated,

Plaintiffs,

v.

GENTEK BUILDING PRODUCTS, INC.,
and ASSOCIATED MATERIALS, LLC.

Defendants.

Case No. 1:10-cv-2093

Judge: Benita Y. Pearson

Magistrate Judge: Kathleen B. Burke

ORDER [Regarding [ECF No. 143](#)]

**FINAL ORDER AWARDING ATTORNEYS' FEES AND REIMBURSEMENT OF
EXPENSES TO SETTLEMENT CLASS COUNSEL AND PAYMENT OF
INCENTIVE AWARDS TO NAMED PLAINTIFFS**

This matter having come before the Court on Plaintiffs' Motion for an Award of Attorneys' Fees and Reimbursement of Expenses to Settlement Class Counsel and Payment of Incentive Awards to Named Plaintiffs and the Court, having considered the submissions and the governing law, and for good cause shown, IT IS ON THIS 1st day of August, 2013;

ORDERED that Plaintiffs' Petition for Award of Attorneys' Fees and Reimbursement of Expenses to Settlement Class Counsel and Payment of Incentive Awards to Named Plaintiffs is granted;

IT IS FURTHER ORDERED that:

1. Class Counsel shall be awarded attorneys' fees in the amount of \$2,242,255.70 and expenses in the amount of \$257,744.30 to be paid by Defendants pursuant to the Settlement Agreement;

2. Defendants shall award \$25,000 for distribution to the Named Plaintiffs as an incentive award;

3. Class Counsel shall allocate \$45,000 from their awarded attorneys' fees and expenses for distribution to the Named Plaintiffs as an incentive award;

4. Class representative incentive awards shall be distributed as follows:

Name	Amount	Reason
Valdie Magstadt	\$7,500	Home inspections and discovery
Ruth Hanson	\$7,500	Home inspections and discovery
Gerald and Jacqueline Herning	\$7,500	Home inspections and discovery
Douglas and Karen Lamm	\$7,500	Home inspections and discovery
Virginia Stroh	\$7,500	Home inspections and discovery
Rhea Clark	\$7,500	Home inspections and discovery
Donald Eliason	\$5,000	Formal discovery
Todd Moos	\$5,000	Formal discovery
Robert Patrick	\$2,500	Named Plaintiff
Patrick Fleck	\$2,500	Named Plaintiff
Gary and Donna McIntyre	\$2,500	Named Plaintiff
Dustin Johnson	\$2,500	Named Plaintiff
Richard Wroughton	\$2,500	Named Plaintiff
Kevin and Charlene Olson	\$2,500	Named Plaintiff

5. Class Counsel shall allocate the remaining award of attorneys' fees among Class Counsel in a manner in which they, in their sole discretion, believe appropriately reflects the

contributions of Class Counsel.

IT IS SO ORDERED.

August 1, 2013
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge